

Application No. 10/724,795 Amendment

**AMENDMENTS TO THE CLAIMS:**

*This listing of claims will replace all prior versions, and listings of claims in this application:*

**LISTING OF CLAIMS:**

1. **(Withdrawn).** A toy balloon closure and sealing device comprising: (a) a generally flat member having a first end, a second end opposite said first end, a first side edge and a second side edge opposite said first side edge; (b) a balloon neck-receiving aperture formed through said generally flat member and between said first end and said second end; (c) inserting passage means for inserting a balloon neck from said first end into said balloon neck receiving aperture; and (d) at least one non-aligned stretched neck retaining means formed on at least one of said second end, said first side edge and said second side edge at a location that not aligned with said inserting passage, for creating at least one angled sharp bend and seal in a balloon neck being stretched from said balloon neck receiving aperture for reinsertion through said inserting passage means and through said balloon neck receiving aperture; thereby effectively closing and sealing the balloon neck without tying and without a risk of the balloon neck unraveling and causing premature balloon deflation.

2. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, wherein said generally flat member is made of a plastic material that is colorless.

3. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, wherein said generally flat member has a first flat face and a second flat face, and its use is not face dependent, thereby allowing for ease of use instructions.

4. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, wherein said generally flat member has a convoluted perimeter.

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5. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, wherein said balloon neck receiving aperture is generally rectangular.

6. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, wherein said balloon neck receiving aperture includes an inwardly projecting tongue member for urging a portion of said balloon neck within said balloon neck receiving aperture to be out of alignment with said inserting passage means.

7. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, wherein said inserting passage means includes a lead-in notch from said first end, and a slit from said lead-in notch into said balloon neck receiving aperture.

8. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, including a single said at least one stretched neck retaining means formed into said second end of said generally flat member and across from said inserting passage means on said first end.

9. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, including a pair of said at least one stretched neck retaining means formed one on each of said first side edge and said second side edge for causing any escaping forces in the stretched elastic neck of the toy balloon to act in a direction approximately 90 degrees to said inserting passage means.

10. **(Withdrawn)**. The toy balloon closure and sealing device of claim 1, including a single said at least one stretched neck retaining means comprising a notch formed into said second end of said generally flat member and across from said inserting passage means on said first end, and having a generally half-rectangular shape for flattening the elastic neck of the toy balloon so as to create said at least one sharp bend and seal therein.

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11. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, including a pair of said at least one stretched neck retaining means comprising a notch formed one each into each of said first side edge and said second side edge, and each having a generally half-rectangular shape for flattening the elastic neck of the toy balloon so as to create said at least one sharp bend and seal therein.

12. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, including three said at least one stretched neck retaining means formed one on each of said second end, said first side edge and said second side edge, for causing the elastic neck of a toy balloon to create said at least one sharp bend and seal therein.

13. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, wherein said generally flat member is made of a biodegradable material.

14. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, wherein said passage means includes a lead-in notch from said first end, and a slot from said lead-in notch into said balloon neck receiving aperture, said slot having a slot width less than 0.04 inches for preventing a stretched balloon neck within said receiving aperture from escaping.

15. **(Withdrawn).** The toy balloon closure and sealing device of claim 1, including a pair of said passage means located symmetrically one at each of said first end and said second and opposite end of said flat member.

16. **(Withdrawn).** The toy balloon closure and sealing device of claim 8, wherein each of said pair of said at least one stretched neck retaining means comprises a notch.

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17. **(Withdrawn)**. The toy balloon closure and sealing device of claim 9, wherein each of said pair of said at least one stretched neck retaining means comprises a notch.

18. **(Withdrawn)**. The toy balloon closure and sealing device of claim 9, wherein each of said pair of said at least one stretched neck retaining means comprises a tab member.

19. **(Withdrawn)**. A toy balloon closure and sealing device comprising: (a) a generally flat member having a first end, a second end opposite said first end, a first side edge and a second side edge opposite said first side edge; (b) a balloon neck-receiving aperture formed through said generally flat member and between said first end and said second end; (c) inserting passage means for inserting a balloon neck from said first end into said balloon neck receiving aperture; (d) at least one non-aligned stretched neck retaining means formed on at least one of said second end, said first side edge and said second side edge at a location that not aligned with said inserting passage, for creating at least one angled sharp bend and seal in a balloon neck being stretched from said balloon neck receiving aperture for reinsertion through said inserting passage means and through said balloon neck receiving aperture; thereby effectively closing and sealing the balloon neck without tying and without a risk of the balloon neck unraveling and causing premature balloon deflation; and (e) a safety device in the form of a tail portion connected to one of said second end, said first side edge and said second side edge.

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20. **(Amended).** A toy balloon closure and sealing device comprising:

(a) a generally rectangular flat member having a convoluted perimeter consisting of a first end, a second end opposite said first end, a first side edge and a second side edge opposite said first side edge;

(b) a balloon neck-receiving aperture formed through said generally flat member and between said first end and said second end, said neck receiving aperture being spaced and separate from said convoluted perimeter and including a tongue portion protruding thereinto for positioning two different portions of a twisted balloon neck passed through said neck receiving aperture;

(c) inserting passage means separate from said neck receiving aperture for inserting a balloon neck from said first end into said balloon neck receiving aperture, said inserting passage means comprising a V-shaped notch on said first end, and a no-width slit from said V-shaped notch into said neck receiving aperture;

(d) at least one non-aligned stretched neck retaining means formed on at least one of said second end, said first side edge and said second side edge at a location that not aligned with said inserting passage, for creating at least one angled sharp bend and seal in a balloon neck being stretched from said balloon neck receiving aperture for reinsertion through said inserting passage means and through said balloon neck receiving aperture; thereby effectively closing and sealing the balloon neck without tying and without a risk of the balloon neck unraveling and causing premature balloon deflation; and

(e) a safety device in the form of a repulsive taste agent applied to said generally rectangular flat member.

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21. **(Amended).** A safe toy balloon closure and sealing device comprising:

(a) a ~~[[structured]]~~ generally rectangular flat member having a balloon neck receiving aperture, inserting passage means including a no-width slit, and at least one stretched neck retaining means formed therethrough, said neck receiving aperture being separate from a perimeter of the generally flat member and including a tongue portion protruding thereinto for positioning two different portions of a twisted balloon neck passed therehrough; and

(b) a safety device formed on said structured member for reducing a risk of injury from ingestion by children, thereby making the toy balloon closure and sealing device safe.

22. **(Amended).** The safe toy balloon closure and sealing device of claim 21 wherein said safety device comprises a tail portion attached to one of ~~[[said]]~~ a second end opposite a first end, ~~[[said]]~~ a first side edge and ~~[[said]]~~ a second side edge.

23. **(Amended).** The safe toy balloon closure and sealing device of claim 21, wherein said safety device comprises a repulsive taste agent applied to said ~~[[structured]]~~ generally rectangular flat member.

24. **(Original).** The safe toy balloon closure and sealing device of claim 22, wherein said tail portion includes at least one slot formed therein.

25. **(Original).** The safe toy balloon closure and sealing device of claim 22, wherein said tail portion has a distal end and said distal end includes a taper for enabling display of an inflated balloon assembly using said closure and sealing device thereof on a pegboard.

26. **(Amended).** The safe toy balloon closure and sealing device of claim 23, wherein said repulsive taste agent is applied directly to said ~~[[structured]]~~ generally rectangular flat member.

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27. **(Amended).** The safe toy balloon closure and sealing device of claim 23, wherein said repulsive taste agent is applied directly to an adhesive tape that is then applied to said ~~[[structured]]~~ generally rectangular flat member.

28. **(Original).** The safe toy balloon closure and sealing device of claim 23, wherein said repulsive taste agent comprises a bittering agent.

29. **(Original).** The safe toy balloon closure and sealing device of claim 28, wherein said bittering agent is Denatonium Benzoate.

30. **(New).** A toy balloon closure and sealing device comprising:

(a) a generally flat member having a periphery defining a first end, a second end opposite said first end, a first side edge and a second side edge opposite said first side edge;

(b) a balloon neck-receiving aperture formed through said generally flat member separate from, and spaced from said periphery;

(c) inserting passage means including a no-width slit for inserting a balloon neck from said first end into said balloon neck receiving aperture; and

(d) at least one non-aligned stretched neck trough-shaped retaining means formed on at least one of said second end, said first side edge and said second side edge, for creating at least one sharp bend and seal in a balloon neck being stretched from said balloon neck receiving aperture for reinsertion through said inserting passage means and through said balloon neck receiving aperture; thereby effectively closing and sealing the balloon neck without tying and without a risk of the balloon neck unraveling and causing premature balloon deflation.

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**31. (New).** The toy balloon closure and sealing device of Claim 30, wherein said generally flat member is made of a colorless plastic material.

**32. (New).** The toy balloon closure and sealing device of Claim 30, wherein said no-width slit has flexible sides for flexing to allow passage of a balloon neck being inserted.

**33. (New).** The toy balloon closure and sealing device of Claim 30, wherein said generally flat member has a generally convoluted periphery.

**34. (New).** The toy balloon closure and sealing device of Claim 30, wherein said balloon neck receiving aperture includes an inwardly projecting tongue member for urging a portion of said balloon neck within said balloon neck receiving aperture so as to be out of alignment with said inserting passage means.

**35. (New).** The toy balloon closure and sealing device of Claim 30, wherein said inserting passage means includes a V-shaped lead-in notch from said periphery at said first end, and a no-width slit from said V-shaped lead-in notch into said balloon neck receiving aperture.

**36. (New).** The toy balloon closure and sealing device of Claim 30, including a single said at least one stretched neck trough-shaped retaining means formed into said second end of said generally flat member and across from said inserting passage means on said first end.



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**37. (New).** The toy balloon closure and sealing device of Claim 30, including a pair of said at least one stretched neck trough-shaped retaining means formed one on each of said first side edge and said second side edge for causing any escaping forces in the stretched elastic neck of the toy balloon to act in a direction approximately 90 degrees to said inserting passage means.

**38. (New).** The toy balloon closure and sealing device of Claim 30, including a single said at least one stretched neck trough-shaped retaining means comprising a notch formed into said second end of said generally flat member and across from said inserting passage means on said first end, and having a generally half-rectangular shape for flattening the elastic neck of the toy balloon so as to create said at least one sharp bend and seal therein.

**39. (New).** The toy balloon closure and sealing device of Claim 30, including a pair of said at least one stretched neck trough-shaped retaining means comprising a notch formed one each into each of said first side edge and said second side edge, and each having a generally half-rectangular shape for flattening the elastic neck of the toy balloon so as to create said at least one sharp bend and seal therein.

**40. (New).** The toy balloon closure and sealing device of Claim 30, wherein said generally flat member is made of a biodegradable material.